

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
)	
Expanding the Economic and Innovation)	Docket No. 12-268
Opportunities of Spectrum Through Incentive)	
Auctions)	

To: Media Bureau, Federal Communications Commission
(Filed electronically through ECFS)

COMMENTS OF CP COMMUNICATIONS PA, LLC

1. CP Communications PA, LLC (“CP Communications” or “Company”) hereby submits these Comments in response to the Public Notice released by the Federal Communications Commission’s (“FCC’s” or “Commission’s”) Media Bureau on September 23, 2013 in the above-captioned proceeding.¹ CP Communications urges the Commission to adopt procedures that will secure reimbursement for wireless microphone users who will be forced, for the second time in only a few years, to incur relocation expenses, in the form of replacement costs for existing 600 MHz band wireless microphones, as a result of the proposed “incentive auctions.”² In past auctions, the Commission has required auction winners to cover the relocation expenses of incumbents who are forced to relocate for the sole benefit of the auction winners. It is consistent with past precedent for the Commission to require similar

¹ *Media Bureau Seeks Comment on Catalog of Eligible Expenses and Other Issues Related to the Reimbursement of Broadcaster Channel Reassignment Costs*, GN Docket No. 12-268, Public Notice, DA 13-1954 (released Sept. 23, 2013). CP Communications also filed, in response to the Notice of Proposed Rulemaking in this proceeding, comments on January 25, 2013, and reply comments on March 12, 2013.

² CP Communications understands that Sennheiser Electronic Corporation is submitting, in response to the Public Notice, a proposal for reimbursing wireless microphone users affected by the incentive auctions. CP Communications supports this proposal.

accommodations here for 600 MHz wireless microphone users from new spectrum occupants, or otherwise to find a way for the government to reimburse displaced operators.

2. CP Communications is a leading source for the rental of wireless production equipment -- including wireless microphones, wireless in ear monitors, wireless intercom and wireless cueing -- to the broadcast, theatrical, live event, film, corporate, entertainment and other industries. CP also sets up, manages, and supervises the operation of wireless equipment for its customers. CP Communications owns and operates wireless microphones in the 600 MHz band and holds licenses for wireless microphones under Part 74 of the FCC's rules.

3. Wireless microphones operating in the 600 MHz band are generally high quality, professional grade equipment used for the creation of information and entertainment content that is a critical part of the content distribution the FCC hopes to facilitate through the wireless revolution. These devices are essential for all kinds of content production, including news gathering, and live entertainment (such as theatrical productions, musical concerts, special events and sports), among other things. Unlike consumer wireless gear, these types of wireless microphones are not designed or mass-manufactured to be replaced frequently. Indeed, professional grade equipment has a much longer useful life and, due in part to higher costs, users must purchase these devices with a view towards relatively long-term usage.

4. Not that long ago, the digital TV transition forced wireless microphone users to relocate out of the 700 MHz band,³ and significant equipment replacement costs were incurred in the process. Wireless microphone users were forced, without compensation, to discard expensive equipment with many years of remaining useful life. Many users replaced 700 MHz

³ See *Wireless Microphones Are Not Permitted to Operate on Certain Frequencies after June 12, 2010; Users are Urged to Check Their Equipment and Take Necessary Steps to Ensure Compliance*, Public Notice, 25 FCC Rcd 7409 (Enforcement Bur. 2010).

equipment with devices operating in the 600 MHz band without suspecting that they would be forced into the same predicament, only a few years later. Equity and fairness dictate that wireless microphone users must be compensated for, once again, being forced to vacate a band through no fault of their own within a time period far shorter than the useful life of their equipment.

5. The Commission's policies have long allowed for reimbursement of relocation costs incurred by incumbents. Wireless microphone users deserve similar treatment. Accordingly, CP Communications urges the Commission to implement the appropriate mechanisms to reimburse wireless microphone users who will be impacted by the incentive auctions.

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Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'P. Tannenwald', is written over a horizontal line.

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November 4, 2013

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